

Dec 21, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

COLUMBIA RIVERKEEPER,

Plaintiff,

v.

SENECA FOODS, LLC,

Defendant.

NO: 1:17-CV-3169-RMP

ORDER APPROVING PROPOSED
CONSENT DECREE

BEFORE THE COURT is a Joint Motion to Enter Proposed Consent Decree, ECF No. 35. The Court has reviewed the motion and the record and is fully informed.

On October 5, 2018, the parties filed a proposed consent decree with the Court. ECF No. 35. Consistent with the Clean Water Act, 33 U.S.C. §§ 1251–1387, the parties served a copy of the consent decree on the United States Attorney General, the Administrator of the United States Environmental Protection Agency, and the Regional Administrator of Region 10 of the United States Environmental Protection Agency on October 5, 2018. *Id.* at 2; 33 U.S.C. § 1365(c)(3). The

1 United States consented to the proposed consent decree. ECF No. 37. It has been
2 45 days since the United States received a copy of the proposed consent decree.
3 *See* 33 U.S.C. § 1365(c)(3) (“No consent judgment shall be entered in an action in
4 which the United States is not a party prior to 45 days following the receipt of a
5 copy of the proposed consent judgment by the Attorney General and the
6 Administrator.”).

7 Having reviewed the terms of the Proposed Consent Decree, ECF No. 35-1,
8 and because Defendant and the United States have consented to its terms, this
9 Court finds that the Proposed Consent Decree is fair, reasonable, and consistent
10 with the requirements of the Clean Water Act. Therefore, this Court finds good
11 cause to approve of and enter the Consent Decree.

12 Accordingly, **IT IS HEREBY ORDERED** that the parties’ Joint Motion to
13 Approve Consent Judgment by Columbia Riverkeeper, **ECF No. 35**, is
14 **GRANTED**. This Court retains jurisdiction for the purposes of enforcing the
15 Consent Decree.

16 The District Court Clerk is directed to enter this Order and provide copies to
17 counsel.

18 **DATED** December 21, 2018.

19
20 *s/ Rosanna Malouf Peterson*
21 ROSANNA MALOUF PETERSON
United States District Judge